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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/109,261	06/30/1998	GANG BAI	042390.P5769	3347
7590 BLAKELY SOKOLOFF TAYLOR & ZAFMAN SEVENTH FLOOR 12400 WILSHIRE BOULEVARD LOS ANGELES, CA 90025			EXAMINER WARREN, MATTHEW E	
			ART UNIT 2815	PAPER NUMBER
			MAIL DATE 05/11/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* GANG BAI

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Appeal No. 2007-3807  
Application 09/109,261  
Technology Center 2800

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Mailed: May 8, 2009

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Before DALE M. SHAW, *Chief Appeals Administrator*

ORDER REMANDING TO EXAMINER

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This application was electronically received by the Board of Patent Appeals and Interferences on July 21, 2007. Upon review of the application, it has been determined that a remand to Examiner, via the Office of the Director of the Technology Center, is necessary to consider the following issues and to take necessary corrective action.

Appeal No. 2007-3807  
Application No. 09/109,261

**EXAMINER'S CONSIDERATION OF REPLY BRIEF**

A Reply Brief was filed in this application on October 5, 2007. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

**CONCLUSION**

Accordingly, it is

ORDERED that this application be returned to the Examiner to:

1) consider the Reply Brief filed October 5, 2007, as indicated above;  
and  
2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/bar

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